

Assembly Bill No. 1441

CHAPTER 36

An act to amend Section 10295 of the Public Contract Code, relating to the California Community Colleges.

[Approved by Governor June 9, 2000. Filed with
Secretary of State June 9, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1441, Lempert. California Community Colleges.

Existing law specifies that all contracts entered into by any state agency for specified services are void unless and until approved by the Department of General Services. That law exempts certain transactions from that law, including transactions entered into by the Trustees of the California State University.

This bill also would exempt transactions entered into by the Board of Governors of the California Community Colleges from that law.

The bill also would provide that it shall not be construed to provide any exemption for the Board of Governors of the California Community Colleges or the Chancellor's Office of the California Community Colleges from provisions of law governing personal services contracts.

The people of the State of California do enact as follows:

SECTION 1. Section 10295 of the Public Contract Code is amended to read:

10295. All contracts entered into by any state agency for (a) the hiring or purchase of equipment, supplies, materials, or elementary school textbooks, (b) services, whether or not the services involve the furnishing or use of equipment, materials or supplies or are performed by an independent contractor, (c) the construction, alteration, improvement, repair or maintenance of property, real or personal, or (d) the performance of work or services by the state agency for or in cooperation with any person, or public body, are void unless and until approved by the department. Every such contract shall be transmitted with all papers, estimates, and recommendations concerning it to the department and, if approved by the department, shall be effective from the date of the approval. This section applies to any state agency that by general or specific statute is expressly or impliedly authorized to enter into transactions referred to in this section. This section does not apply to any transaction entered into by the Trustees of the California State University, by the Board of Governors of the California Community Colleges, or by a

department under the State Contract Act or the California State University Contract Law, any contract of a type specifically mentioned and authorized to be entered into by the Department of Transportation under Section 14035 or 14035.5 of the Government Code, Sections 99316 to 99319, inclusive, of the Public Utilities Code, or the Streets and Highways Code, any contract entered into by the Department of Transportation that is not funded by money derived by state tax sources but, rather, is funded by money derived from federal or local tax sources, any contract entered into by the Department of Personnel Administration for state employees in state bargaining units that have agreed to this section in a memorandum of understanding for employee benefits, occupational health and safety, training services, or combination thereof any contract let by the Legislature, or any contract entered into under the authority of Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code.

SEC. 2. Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code applies to the Board of Governors of the California Community Colleges and the Chancellor's Office of the California Community Colleges, and nothing in this act shall be construed to provide any exemption for the Board of Governors of the California Community Colleges or the Chancellor's Office of the California Community Colleges from that article. The Legislature finds and declares that this section is declaratory of existing law.

